

To: Jayne Carlin/R10/USEPA/US@EPA[]
Cc: David Powers/R10/USEPA/US@EPA; Don Waye/DC/USEPA/US@EPA[]; on
 Waye/DC/USEPA/US@EPA[]
From: Allison Castellan <allison.castellan@noaa.gov>
Sent: Wed 10/17/2012 1:20:22 PM
Subject: Re: REVIEW: Draft Agenda for Oct 18 (9-10:30 or 12-1:30) FEDS Only: Oregon CZARA 6217
 SA Commitments Call [Call In Number **Nonresponsive**]
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Hi Jayne--

I noticed you invited the new regional attorney assigned to the OR lawsuit. I think its fine, if she wants to listen in to get familiar but it looks like we have a pretty full agenda so I don't think its appropriate for us to spend time getting her up to speed during this call. That's something the EPA folks can do at a different time. Also, I assume she won't be joining us for the ODEQ call following? I think that should kept to programmatic staff. Adding a lawyer to the mix can change the tenor at times and I don't think ODEQ plans to have their legal folks on the call.

Allison

On Tue, Oct 16, 2012 at 1:07 PM, Jayne Carlin <Carlin.Jayne@epamail.epa.gov> wrote:

Hi All,

As you may recall, just the Feds will be meeting this Thursday and then we will meet with the DEQ after our call. Please review/comment on the proposed agenda below:

Proposed Agenda

Introductions including Kelly Gable, newly assigned ORC Attorney

Updated rationales for interim condition approvals: what information to request from state? legal vulnerability evaluation? (See attached file: OR 6217 draft compiled interim dec doc 100412_clean.docx)

Developing EPA/NOAA assessment letter: how to obtain information needed and procedures and how to use our assessment as an opportunity to help focus and put pressure on areas we think may be going off course.

Requesting for extension

Addressing NWEA's growing collection of letters and legal actions (directly pertaining to this SA and related actions such as temperature WQS, TMDLs)

Concerns About Oregon Department of Environmental Quality's Honoring CZARA Settlement
 Commitments Oregon Coastal Nonpoint Pollution Control Program (April 3, 2012)
 Oregon Coastal Nonpoint Pollution Control Program; EPA and NOAA's Interim Approval of Agricultural
 Management Measures for Oregon (May 2, 2012)
 Oregon Coastal Nonpoint Pollution Control Program; EPA and NOAA's Interim Approval of Agricultural
 Management Measures for Oregon are Based on a Flawed Understanding of the State's Enforcement
 Authority (June 13, 2012)
 Oregon Coastal Nonpoint Pollution Control Program; EPA and NOAA's Interim Findings on Pesticides
 (August 20, 2012)

Oregon Coastal Nonpoint Pollution Control Program; Protection of the Designated Use of Amphibians in Non-Fish-Bearing ("Type N") Streams Through the MidCoast Implementation Ready TMDL (October 5, 2012)

Proposed approach for temperature TMDL development (given recent NWEA legal action)

Provide additional detail on the prescriptive TMDL process. Sufficient? (See attached file: Outline for 3b&3c requirements.docx)

New Steps/Action Items (including for Oct 18 State/Fed Call and Oct 29 Mgr Quarterly Call).

Settlement Agreement Commitments (See attached file: SA and Exhibit A Schedule.xlsx)

Cheers,

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